



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3195/r2
JTK&ARG:wlj:jf

wanted tue 6/14

2005 BILL

see pp 1, 2, 8,
36, 76, 77

(regenerate)

1 AN ACT *to repeal* 6.78 (1), 6.78 (2), 6.78 (3) and 6.93 (title); *to renumber* 6.88
2 (3) (b); *to renumber and amend* 6.21, 6.55 (3), 6.78 (intro.), 6.88 (3) (a), 6.93,
3 7.30 (1), 7.31 (1) and 7.51 (3) (d); *to amend* 5.02 (15), 5.05 (1) (e), 5.25 (4) (a),
4 5.25 (4) (b), 5.35 (title), 5.35 (5), 5.35 (6) (a) (intro.), 5.35 (6) (a) 3., 5.35 (6) (a)
5 4., 6.10 (3), 6.15 (4) (a) to (e), 6.15 (6), 6.26 (2) (c), 6.26 (2) (d), 6.26 (3), 6.275
6 (title), 6.275 (2), 6.28 (1), 6.28 (3), 6.29 (1), 6.29 (2) (a), 6.32 (3), 6.33 (1), 6.33 (2)
7 (a), 6.33 (5) (a), 6.36 (1) (a), 6.36 (1) (b) 1. a., 6.36 (2) (a), 6.40 (1) (a) 1., 6.40 (1)
8 (c), 6.50 (3), 6.55 (2) (a) 1., 6.55 (2) (d), 6.56 (1), 6.56 (3), 6.77 (1), 6.79 (2) (c), 6.86
9 (1) (a) 5., 6.86 (1) (ar), 6.86 (1) (b), 6.86 (3) (c), 6.87 (3) (a), 6.87 (4), 6.87 (6), 6.88
10 (1), 6.88 (2), 6.935, 6.97 (1), 6.97 (2), 7.03 (1) (a), 7.03 (1) (d), 7.08 (1) (c), 7.30 (2)
11 (a), 7.30 (2) (b), 7.30 (2) (b), 7.30 (2) (c), 7.30 (4) (b) (intro.), 7.30 (4) (c), 7.30 (6)
12 (b), 7.30 (6) (c), 7.31 (title), 7.31 (2) to (5), 7.32, 7.33 (3), 7.37 (2), 7.41 (1), 7.41
13 (2), 7.41 (3) (intro.), 7.41 (3) (a), 7.41 (3) (b), 7.51 (1), 7.51 (2) (c), 7.51 (2) (e), 7.51
14 (4) (a), 7.51 (5) (b), 7.53 (1), 7.53 (2) (d), 7.60 (3), 12.03 (title), 12.03 (1), 12.07 (2),

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1 12.13 (3) (x), 12.60 (1) (a), 12.60 (1) (b), 17.29, 20.510 (1) (bm), 67.05 (3) (f),
2 120.06 (9) (a), 343.22 (4) and 880.33 (9); **to repeal and recreate** 6.28 (title); and
3 **to create** 5.35 (6) (c), 5.51 (9), 6.275 (3), 6.28 (4), 6.285, 6.29 (2) (am), 6.33 (1m),
4 6.36 (1) (b) 1. am., 6.55 (2) (cs), 6.55 (3) (b), 6.56 (3m), 6.79 (2) (dm), 6.86 (6),
5 6.873, 7.08 (9), 7.16, 7.17, 7.18, 7.30 (1) (b), 7.31 (1g), 7.52, 12.03 (1m), 12.03
6 (2m), 12.13 (3) (gm), 12.13 (3) (ze), 20.510 (1) (e), 110.08 (1r), 301.03 (20), 343.14
7 (2r), 343.178 and 343.22 (3m) of the statutes; **relating to:** administration of
8 elections and making an appropriation.

Analysis by the Legislative Reference Bureau

This bill makes various changes in the laws concerning the administration of elections. The changes include:

Absentee voting and voter registration at satellite locations

Currently, unless an elector votes by absentee ballot, the elector must appear at the polling place serving his or her residence to vote. Polling places are staffed by inspectors who, with limited exceptions, are appointed from nominations submitted by the party committeemen or committeewomen of the two major political parties. If nominations are not submitted, inspectors may be appointed without regard to party affiliation. Municipalities may also appoint special registration deputies on a nonpartisan basis to register voters at polling places on election day. With limited exceptions, each inspector must be a resident of the area served by the polling place where the inspector is employed. Inspectors are public officers who serve for two-year terms and must file an oath of office. Inspectors must be compensated by the municipality where they serve.

Current law permits any qualified elector who for any reason is unable or unwilling to appear at his or her polling place to vote by absentee ballot. With certain limited exceptions, the elector must apply for and obtain an absentee ballot from the appropriate municipal clerk or board of election commissioners by 5 p.m. on the day before the election. The elector may cast the absentee ballot either by mail or in person at the office of the municipal clerk or board of election commissioners of the municipality where the elector resides. Current law also contains a special procedure that permits certain residents of nursing or retirement homes or community-based residential facilities to apply for and obtain an absentee ballot from special voting deputies who are appointed by the municipal clerk or board of election commissioners and who personally visit the home or facility. These electors give their absentee ballots directly to the special voting deputies, who then deliver the ballots to the municipal clerk or board of election commissioners.

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With certain limited exceptions, this bill authorizes the municipal governing body of any municipality to designate any location as a temporary, satellite station for absentee voting by electors of the municipality. The location may be inside a building or outdoors and need not be contained in a room separated from other activities. The bill permits any qualified elector of a municipality to obtain and cast an absentee ballot at a satellite station regardless of where the elector resides within the municipality. A satellite station may be open for absentee voting at any time, but not earlier than the date on which official absentee ballots become available and not later than 5 p.m. on the day before the election. The bill also permits any elector to challenge for cause any absentee ballot that is cast at a satellite absentee voting station.

Under the bill, a satellite absentee voting station must be staffed by at least one special voting deputy who is appointed on a nonpartisan basis by the municipal clerk or board of election commissioners. The bill permits any qualified elector of the state to be appointed as a special voting deputy. The bill specifies certain minimum qualifications for the special voting deputy, such as knowledge of the English language. The municipal clerk or board of election commissioners must instruct the special voting deputy in his or her duties. The special voting deputy may be compensated at the option of the applicable municipality. The special voting deputy is required to supervise the proceedings at the satellite station to which he or she is assigned and to enforce certain election laws that apply to the satellite station. The special voting deputy is under the supervision of the municipal clerk or board of election commissioners. Under the bill, a special voting deputy is a public officer and must file an oath of office.

The bill also requires the municipal clerk or board of election commissioners to appoint at least one special registration deputy on a nonpartisan basis to staff each satellite station. The bill permits any qualified elector of the state to be appointed as a special registration deputy. The bill specifies certain minimum qualifications for the special registration deputy. The special voting deputy may be compensated at the option of the municipality. The bill permits an elector to register to vote at any satellite station at any time during which the station is open for absentee voting. With certain limited exceptions, the elector must follow the registration procedure that would otherwise apply to the elector under current law.

The bill requires each satellite station to meet current standards with regard to the accessibility of polling places and requires the posting of information at a satellite station that is generally the same as the information required to be posted at a polling place. However, whereas current law prohibits electioneering on public property within 100 feet of the entrance to a polling place, the bill generally prohibits electioneering in any building in which a satellite station is located at any time during which the satellite station is open; and if a satellite station is located outside of a building, the bill generally prohibits electioneering within 100 feet of the satellite station at any time during which the satellite station is open. The restrictions on electioneering do not apply on private property that is not owned or controlled by the same person as the property where the satellite station is located and do not apply to bumper stickers.

BILL***Absentee ballot canvassing procedure***

Currently, each absentee ballot must be received at the polling place serving an elector's residence no later than 8 p.m. on election night for the ballot to be counted. The municipal clerk or board of election commissioners delivers all absentee ballots received by the clerk or board to the appropriate polling places. The inspectors (poll workers) canvass the absentee ballots, together with the other ballots, publicly on election day by marking the names of the absentee electors on the same poll list that is used to mark the names of the electors who vote in person. Any member of the public may observe the proceedings. Any elector may challenge for cause any absentee ballot that the elector knows or suspects is not cast by a qualified elector, whether the absentee ballot is cast in person at the office of a municipal clerk or board of election commissioners or the ballot is received in some other manner. Unless an absentee ballot is challenged or voted provisionally, it is not identifiable once it is counted except that an absentee ballot may be distinguished from another ballot because it carries the initials of the municipal clerk or executive director of the board of election commissioners or a designated deputy. The inspectors at each polling place announce the results of each election when the canvass is completed on election night. Each municipal canvass must be completed by 2 p.m. on the day after each election, and each county canvass must begin no later than 9 a.m. on the Thursday following an election.

This bill discontinues the canvassing of absentee ballots at polling places. Under the bill, each municipal board of canvassers must convene at one or more public meetings held no earlier than the seventh day after absentee ballots for an election are distributed and no later than 10 a.m. on the day after the election for the purpose of counting absentee ballots. Under the bill, the board of canvassers does not announce the results of its count until the canvass of all absentee ballots is completed on the day after an election. The bill provides for each municipal board of canvassers to conduct a cross-check of absentee ballots for any potential duplication by electors who also cast ballots in person. To accomplish the cross-check, each municipal board of canvassers numbers each absentee ballot as it is counted, and if the elector who casts the ballot also casts a ballot in person, the absentee ballot is not counted. To allow time for the separate canvass of the absentee ballots to be completed and to reconcile and merge the results with the canvasses conducted at polling places, the bill allows an additional 24 hours for municipal canvasses to be completed and for county canvasses to begin. The bill permits any elector to challenge for cause any absentee ballot, other than a ballot that is cast in person at the office of a municipal clerk or board of election commissioners or at a satellite absentee voting station.

Challenges of absentee ballots

Currently, an elector may challenge for cause the absentee ballot of any person whom the elector knows or suspects is not a qualified elector at the polling place where the absentee ballot is received. This bill permits any elector to challenge for cause the absentee ballot of any person whom the elector knows or suspects is not a qualified elector when the person casts an absentee ballot in person at the office of a municipal clerk or board of election commissioners. Under the bill, if a person casts

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an absentee ballot in person at the office of the municipal clerk or board of election commissioners or at a satellite absentee voting station, an elector who wishes to challenge the absentee ballot may do so only at the office of the municipal clerk or board of election commissioners or at the voting station where the absentee ballot is cast.

Voter registration with operator's license and identification card renewals

Under current law, every municipality with a population of more than 5,000 is required to maintain a voter registration list. Beginning with the 2006 spring primary election, every municipality will be required to maintain a voter registration list. With certain exceptions, the deadline for voter registration for an election is 5 p.m. on the second Wednesday preceding the election. Registrations before this deadline may be received at the office of the municipal clerk or board of election commissioners (by mail or in person), at the office of the register of deeds, and at other designated locations such as public high schools. Voters may also register in person at the office of the municipal clerk or board of election commissioners until 5 p.m. on the day before an election or, in most cases, may register at the proper polling place or other designated location on election day. In addition, voters may register for an election after the deadline if the municipal clerk or board of election commissioners determines that the registration list can be revised to incorporate the registrations in time for the election.

This bill directs the Department of Transportation (DOT) to include a voter registration application as part of each operator's license and identification card application and renewal application and to accept voter registration applications from any elector who applies for an operator's license or identification card or renewal of a license or card at any DOT office where applications for licenses or cards or renewals of licenses or cards are accepted. The bill also directs DOT to accept an application to update the registration information of any elector who has applied for or obtained an operator's license or identification card if the elector changes his or her name or residence within the state. The form of the registration application and update application is prescribed by the Elections Board, subject to certain requirements specified in the bill. Under the bill, DOT must provide the registration and update forms to applicants at state expense.

The bill directs each municipal clerk and board of election commissioners to appoint each employee of DOT who accepts applications for operators' licenses or identification cards or renewals of licenses or cards as a special registration deputy. The bill directs DOT employees who serve as deputies to forward completed voter registration applications and update forms to the Elections Board. The board then adds the names of qualified electors who submit properly completed forms to the registration list or updates registration information on the list, as appropriate. Under the bill, if a registration or update is filed at an office of DOT, the form or update must be filed no later than the second Wednesday before an election to become effective for that election.

Prevention of voting by ineligible felons

Currently, any person who is convicted of a felony is not eligible to vote. However, if the person is pardoned or the person completes his or her sentence, the

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person's voting rights are restored. A person who is on probation, parole, or extended supervision has not completed his or her sentence. Under current law, there is no procedure that election officials must use to identify felons who are ineligible to vote and to prevent them from voting.

This bill directs the Department of Corrections (DOC) to transmit electronically to the Elections Board, on a continuous basis, a list containing the names of each person who has been convicted of a felony under the laws of this state and whose voting rights have not been restored, together with the date on which DOC expects his or her voting rights to be restored. (The voting rights of a convicted felon are restored if the felon is pardoned or if the felon is released from incarceration and is not on parole, probation or extended supervision.) The bill directs the board to enter the information received from DOC on the statewide voter registration list and to maintain the information on that list so that the information is kept current. Under the bill, the information is open to public inspection. The bill also directs the board to enter on the poll list prepared for each election a notation after the name of any elector who is ineligible to vote on that date because the person's name appears on the current list that DOC provides. In addition, the bill directs the board to provide for each polling place at each election a list of persons whose names do not appear on the registration list but whose names appear on the current list that DOC provides and whose addresses are located within the area served by the polling place. These lists are open to public inspection. The bill requires poll workers to check the lists and to inform any person whose names appear on the lists that they are ineligible to register to vote or to vote. A person whose name appears on a list and who claims to be eligible to vote may still be allowed to vote, but the person must vote by ballot. The ballot is marked for later examination and it may be reviewed and discounted during a canvass or recount if the appropriate board of canvassers determines that the person who cast the ballot is ineligible to vote.

The bill also requires every person who registers to vote, to affirm specifically that he or she has not been convicted of a felony for which he or she has not been pardoned and, if so, whether the person is incarcerated or on probation, parole, or extended supervision resulting from that conviction. Currently, the law requires a person who registers at a polling place only to affirm that he or she is not disqualified on any ground from voting, and does not require any similar affirmation from other late registrants.

In addition, the bill directs the Elections Board to conduct a postelection audit after each election to determine whether any ineligible felons have been allowed to register and vote after the close of registration. If so, the board is directed to enter a notation reflecting this ineligibility on the registration list and to provide the names of these felons to the district attorney.

Thirty-minute maximum waiting time

This bill directs municipalities to implement procedures to attempt to ensure that no elector who appears to vote at a polling place for any election is required to wait more than 30 minutes before being permitted to vote. Currently, there is no similar requirement.

BILL***Postelection performance reviews***

This bill directs each municipal clerk and board of election commissioners of each municipality to conduct a postelection performance review following each election that is held in the municipality. The review must include an analysis of whether all relevant laws were complied with, an assessment of whether the municipality achieved its goal to ensure a maximum waiting time of 30 minutes at polling places and if not, how the goal can be achieved at the next comparable election, and any steps that the municipality must take to improve the administration of the next election in the municipality. Currently, there is no such requirement.

Election day plans

This bill directs each municipal governing body to adopt a plan for the administration of each election in the municipality. The plan must be adopted at least 42 days before each regularly scheduled election, including each primary, and at least 21 days before each special election. The plan must be prepared with the advice of the Elections Board and must be submitted to the governing body in proposed form by the municipal clerk or board of election commissioners. The plan must include six elements: 1) procedures for preelection education of voters concerning voting eligibility and voting procedures; 2) methods to be used to ensure adequate staffing for preelection and election day activities; 3) measures that the municipality will use to ensure the orderly and efficient flow of voters at each polling place; 4) contingency plans to manage any voter turnout that is significantly higher than anticipated; 5) management controls that the municipality will use to ensure accountable and orderly processes at the election; and 6) specific procedures that the municipality will use to conduct the postelection reviews required by the bill.

Election officials

Currently, there must be at least three inspectors (poll workers) at each polling place. Municipalities may increase that number and may appoint special registration deputies on a nonpartisan basis to register voters at polling places on election day. Inspectors must be appointed from lists containing the names of eligible electors submitted by party committeemen and committeewomen. If no names or insufficient names are submitted, inspectors are appointed on a nonpartisan basis. Certain high school pupils may also be appointed to serve as inspectors. The party whose candidate for president or governor received the most votes in the area served by the polling place at the most recent general election is entitled to one more appointment than the other party. Alternate officials must also be appointed in a sufficient number to maintain adequate staffing.

This bill provides that each municipality shall at the general election and may at other elections appoint an additional inspector on a nonpartisan basis who serves as a greeter and substitutes for other inspectors who must leave the voting room temporarily. Under the bill, the additional inspector is not entitled to participate in the canvassing process. In addition, the bill requires each municipality to appoint at least one alternate inspector to serve at each election at each polling place in the municipality.

BILL***Uniform polling hours***

Under current law, the polls at an election in a first, second, or third class city must generally be open from 7 a.m. to 8 p.m. In a village, town, or fourth class city the polls must be open from 9 a.m. to 8 p.m., unless the village, town, or city determines to extend the opening hour to not earlier than 7 a.m. In addition, under current law, the opening hour for polling places in certain school and other special purpose district elections may be extended to not earlier than 7 a.m. even if the governing body of the municipality where a polling place is located does not extend the opening hour.

This bill requires the polls at every election to be open from 7 a.m. to 8 p.m. in all municipalities.

Compensation for obtaining voter registrations

Under current law, a municipal clerk or board of election commissioners or the Elections Board may appoint special registration deputies who may register electors prior to the close of registration for any election. Any other person may also obtain voter registration forms and may solicit registrations and return completed forms to a municipal clerk, board of election commissioners, or the Elections Board.

This bill prohibits any person from compensating any other person, for obtaining voter registrations, at a rate that varies in relation to the number of voter registrations obtained by the person. Violators are guilty of a misdemeanor and are subject to a fine of not more than \$1,000 or imprisonment for not more than six months, or both, for each offense.

Training of poll workers and special registration deputies

Currently, the Elections Board conducts training programs for chief inspectors (chief officials at polling places). No person may serve as a chief inspector who has not been certified by the Elections Board as having met the requirements prescribed by the board for certification. The Elections Board must also prescribe requirements for maintaining certification. The Elections Board may also conduct training programs for other election officials. Municipal clerks and boards of election commissioners are required to train all election officials, and municipalities may require applicants for election official positions to take examinations. Currently, the Elections Board and municipal clerks and boards of election commissioners may appoint special registration deputies who obtain voter registrations from electors prior to the close of registration (the second Wednesday before an election). Currently, municipal clerks and boards of election commissioners may appoint special voting deputies to conduct voting at nursing homes and certain retirement homes and community-based residential facilities. This bill also provides for the appointment of special registration deputies and special voting deputies to serve at satellite absentee voting stations (see above). Currently, the clerks and boards of election commissioners must train the deputies in accordance with rules prescribed by the Elections Board.

This bill requires the Elections Board to train all poll workers as well as special registration deputies and special voting deputies. As a part of the training, the bill requires the board to produce and conduct regular training programs and, specifically, to produce and periodically update a video program and make the

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program available electronically through an Internet-based system. The bill provides that no person may serve as a poll worker, special registration deputy, or special voting deputy unless that person is certified by the board as having met the training requirements prescribed by the board for certification. The bill also directs the board to prescribe requirements for maintaining certification. All requirements must be structured to enable a qualified individual to obtain or maintain certification solely by viewing the current applicable video training program produced by the board. The cost of training provided by the state is paid by the state (with the use of federal funds if available). Municipalities are required to compensate election officials other than special registration deputies and special voting deputies for attendance at training sessions.

Registration form format

Currently, the Elections Board prescribes the content of voter registration forms in accordance with statutory requirements. The forms must be printed on loose-leaf sheets or cards. This bill provides that the forms must be printed on cards and directs the board to prescribe the format, size, and shape of the forms. The bill also requires each item of information on the forms to be displayed in uniform font size, as prescribed by the board.

Public access to birth date information

Currently, beginning with registration for voting at the 2006 spring primary election, registration is required in all municipalities for all electors except military electors, as defined by law. The registration list consists of certain information relating to registered or formerly registered electors specified by law. Certain items of information on the list may be publicly inspected or accessed electronically. Other items of information, including an elector's date of birth, may only be viewed or accessed by employees of the Elections Board and county and municipal clerks and boards of election commissioners or their employees.

This bill provides that an individual who appears in person at the office of the municipal clerk or board of election commissioners of a municipality may examine information relating to the date of birth of any registered or formerly registered elector of the state, as shown on the registration list, upon presentation of a current, valid identification card issued by a governmental unit or other proof of residence that is acceptable for voter registration purposes. Under the bill, an individual who examines this information may receive a copy of the information or any other information on the registration list to which access is permitted under current law. The bill directs the clerk or board of election commissioners to record the name of any individual who requests to examine information under the bill, together with the type of identification presented by the individual and any unique number shown on the face of the identification. Under the bill, no person who obtains birth date information from a registration list may use the information for commercial purposes or post the information on the Internet. Violators are guilty of a felony and may be fined not more than \$10,000 or imprisoned for not more than three years and six months or both.

BILL***Posting of polling place information***

This bill provides that in each municipality that is served by more than one polling place at any election, the municipal clerk or board of election commissioners must prominently post a map of the municipality, in the format prescribed by the Elections Board, at each polling place for that election. The posting is required to display the boundaries of the ward or wards served by each polling place for that election, to show the location of each polling place on the map, and to provide the building name and address for each polling place. The bill directs the Elections Board to pay for the cost of the posting. Currently, polling place information must be published or posted prior to an election, but there is no requirement for posting at polling places.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 5.02 (15) of the statutes is amended to read:

2 5.02 (15) "Polling place" means the actual location wherein the elector's vote
3 is cast. "Polling place" does not include a satellite absentee voting station designated
4 under s. 6.873 (1) or a nursing home, qualified retirement home, or qualified
5 community-based residential facility where absentee voting is conducted under s.
6 6.875 (6).

7 **SECTION 2.** 5.05 (1) (e) of the statutes is amended to read:

8 5.05 (1) (e) Delegate to its executive director the authority to issue a subpoena
9 under par. (b), apply for a search warrant under par. (b), commence an action under
10 par. (d), intervene in an action or proceeding under sub. (9), issue an order under s.
11 5.06, exempt a polling place or exempt a satellite absentee voting station designated
12 under s. 6.873 (1) from accessibility requirements under s. 5.25 (4) (a), exempt a

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1 municipality from the requirement to use voting machines or an electronic voting
2 system under s. 5.40 (5m), approve an electronic data recording system for
3 maintaining poll lists under s. 6.79, or authorize nonappointment of an individual
4 who is nominated to serve as an election official under s. 7.30 (4) (e), subject to such
5 limitations as the board deems appropriate.

6 **SECTION 3.** 5.25 (4) (a) of the statutes, as affected by 2003 Wisconsin Act 265,
7 is amended to read:

8 5.25 (4) (a) ~~Each~~ Except as otherwise specifically authorized by the board, each
9 polling place and satellite absentee voting station under s. 6.873 (1) shall be
10 accessible to all individuals with disabilities. The board shall ensure that the voting
11 system used at each polling place and satellite absentee voting station under s. 6.873
12 (1) will permit all individuals with disabilities to vote without the need for assistance
13 and with the same degree of privacy that is accorded to nondisabled electors voting
14 at the same polling place or voting station. This paragraph does not apply to any
15 individual who is disqualified from voting under s. 6.03 (1) (a).

16 **SECTION 4.** 5.25 (4) (b) of the statutes is amended to read:

17 5.25 (4) (b) In any jurisdiction that is subject to the requirement under 42 USC
18 1973aa-1a to provide voting materials in any language other than English, the board
19 shall ensure that the voting system used at each polling place and at each satellite
20 absentee voting station under s. 6.873 (1) located in that jurisdiction is in compliance
21 with 42 USC 1973aa-1a.

22 **SECTION 5.** 5.35 (title) of the statutes is amended to read:

23 **5.35 (title) Polling place and voting station requirements.**

24 **SECTION 6.** 5.35 (5) of the statutes is amended to read:

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1 5.35 (5) ACTIVITIES RESTRICTED. No polling place or satellite absentee voting
2 station designated under s. 6.873 (1) may be situated so as to interfere with or
3 distract election officials from carrying out their duties. The municipal clerk and
4 election inspectors shall prevent interference with and distraction of electors at
5 polling places, and the special voting deputies shall prevent interference with and
6 distraction of electors at satellite absentee voting stations designated under s. 6.873
7 (1).

8 **SECTION 7.** 5.35 (6) (a) (intro.) of the statutes is amended to read:

9 5.35 (6) (a) (intro.) At each polling place and at each satellite absentee voting
10 station designated under s. 6.873 (1) in the state, the municipal clerk or board of
11 election commissioners shall ~~post~~ ensure that all of the following materials, are
12 posted and positioned so that they may be readily observed by electors entering the
13 polling place, approaching the voting station, or waiting in line to vote:

14 **SECTION 8.** 5.35 (6) (a) 3. of the statutes is amended to read:

15 5.35 (6) (a) 3. Two sample ballots prepared under s. 5.66 (2), in the case of a
16 polling place, and one sample ballot prepared under s. 5.66 (2), in the case of a
17 satellite absentee voting station designated under s. 6.873 (1).

18 **SECTION 9.** 5.35 (6) (a) 4. of the statutes is amended to read:

19 5.35 (6) (a) 4. The date of the election and the hours during which the polling
20 place or satellite absentee voting station is open.

21 **SECTION 10.** 5.35 (6) (c) of the statutes is created to read:

22 5.35 (6) (c) At each polling place located in a municipality that is served by more
23 than one polling place for an election, the municipal clerk or board of election
24 commissioners shall prominently post a map of the municipality, in the format
25 prescribed by the board, at each polling place for that election. The posting shall

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1 clearly show the boundaries of the ward or wards served by each polling place for that
2 election, show the location of each polling place on the map, and shall provide the
3 building name and address for each polling place.

4 **SECTION 11.** 5.51 (9) of the statutes is created to read:

5 5.51 (9) On the back of each ballot, above the space for the initials, the ballot
6 shall contain a space for the municipal clerk, deputy clerk, or special voting deputy
7 to indicate whether the ballot is cast in person under s. 6.86 (1) (a) 2. or under s. 6.873.

8 **SECTION 12.** 6.10 (3) of the statutes is amended to read:

9 6.10 (3) ~~When~~ If an elector moves from one ward to another or from one
10 municipality to another within the state before the close of registration under s. 6.28
11 (1), the elector may vote in and be considered a resident of the new ward or
12 municipality where residing upon updating his or her registration under s. 6.28 (4)
13 (b), transferring his or her registration under s. 6.40 (1), or registering at the proper
14 polling place or other registration location in the new ward or municipality under s.
15 6.285 (2) or 6.55 (2). If an elector moves from one ward to another or from one
16 municipality to another within the state after the last registration day but at least
17 10 days before the election, the elector may vote in and be considered a resident of
18 the new ward or municipality where residing upon transferring registration under
19 s. 6.40 (1) or upon registering at the proper polling place or other registration location
20 in the new ward or municipality under s. 6.285 (2) or 6.55 (2) or 6.86 (3) (a) 2. If the
21 elector moves within 10 days of an election, the elector shall vote in the elector's old
22 ward or municipality if otherwise qualified to vote there.

23 **SECTION 13.** 6.15 (4) (a) to (e) of the statutes are amended to read:

24 6.15 (4) (a) Clerks holding new resident ballots shall deliver them to the
25 election inspectors ~~in the proper ward or election district where the new residents~~

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SECTION 13

1 reside municipal board of canvassers when it convenes under s. 7.52 (1), as provided
2 by s. 6.88 for absentee ballots.

3 (b) ~~During polling hours, the inspectors~~ The board of canvassers shall open
4 each carrier envelope, announce the elector's name, check the affidavit for proper
5 execution, and check the voting qualifications for the ward, if any.

6 (c) ~~The inspectors~~ board of canvassers shall open the inner envelope without
7 examination of the ballot other than is necessary to see that the issuing clerk has
8 endorsed it.

9 (d) Upon satisfactory completion of the procedure under pars. (b) and (c) the
10 ~~inspectors~~ board of canvassers shall deposit the ballot in the ballot box. The
11 ~~inspectors~~ board of canvassers shall enter the name of each elector voting under this
12 section on the poll list with an indication that the elector is voting under this section
13 or on a separate list maintained for the purpose under s. 6.79 (2) (c).

14 (e) If the person is not a qualified elector in the ward or municipality, or if the
15 envelope is open or has been opened and resealed, the inspectors shall reject the vote.
16 Rejected ballots shall be processed the same as rejected absentee ballots, under s.
17 6.88 (3) ~~(b)~~.

18 **SECTION 14.** 6.15 (6) of the statutes is amended to read:

19 6.15 (6) DEATH OF ELECTOR. When it appears by due proof to the ~~inspectors~~ board
20 of canvassers that a person voting ~~under this section~~ at an election has died before
21 the date of the election, the ~~inspectors~~ board of canvassers shall return the ballot
22 with defective ballots to the issuing official.

23 **SECTION 15.** 6.21 of the statutes is renumbered 7.52 (9) and amended to read:

24 7.52 (9) When by due proof it appears to the ~~inspectors~~ board of canvassers that
25 a person ~~voting under this section~~ casting an absentee ballot at an election has died

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1 before the date of the election, ~~they~~ the board of canvassers shall return the ballot
2 with defective ballots to the issuing official. The casting of the ballot of a deceased
3 elector does not invalidate the election.

4 **SECTION 16.** 6.26 (2) (c) of the statutes is amended to read:

5 6.26 (2) (c) No individual may serve as a special registration deputy in a
6 municipality unless the individual is certified by the board under s. 7.31 to serve in
7 that position and is either appointed by the municipal clerk or board of election
8 commissioners of the municipality or ~~the individual~~ is appointed by the elections
9 board to serve all municipalities.

10 **SECTION 17.** 6.26 (2) (d) of the statutes is amended to read:

11 6.26 (2) (d) This subsection does not apply to deputies serving under s. 6.28 (4)
12 or to deputies appointed under ~~s.~~ ss. 6.285 (1) and 6.55 (6).

13 **SECTION 18.** 6.26 (3) of the statutes is amended to read:

14 6.26 (3) The board shall, by rule, prescribe procedures for appointment of
15 special registration deputies, for revocation of appointments of special registration
16 deputies, and for training of special registration deputies by municipal clerks and
17 boards of election commissioners. The procedures shall be coordinated with training
18 programs for special registration deputies produced and conducted by the board
19 under s. 7.31 and shall be formulated to promote increased registration of electors
20 consistent with the needs of municipal clerks and boards of election commissioners
21 to efficiently administer the registration process.

22 **SECTION 19.** 6.275 (title) of the statutes is amended to read:

23 **6.275 (title) Registration and voting statistics information.**

24 **SECTION 20.** 6.275 (2) of the statutes is amended to read:

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1 6.275 (2) Upon receipt of each report filed under ~~this section~~ sub. (1), the county
2 clerk or board of election commissioners shall forward one copy to the board within
3 7 days.

4 **SECTION 21.** 6.275 (3) of the statutes is created to read:

5 6.275 (3) The board shall withhold from access under s. 19.35 (1) any
6 registration information received from the department of transportation with
7 respect to which confidentiality is guaranteed under s. 6.33 (1m) (a) 3. and 4.

8 **SECTION 22.** 6.28 (title) of the statutes is repealed and recreated to read:

9 **6.28 (title) Open registration.**

10 **SECTION 23.** 6.28 (1) of the statutes is amended to read:

11 6.28 (1) REGISTRATION LOCATIONS; DEADLINE. Except as authorized in ss. 6.29,
12 6.55 (2), and 6.86 (3) (a) 2., registration in person for any election shall close at 5 p.m.
13 on the 2nd Wednesday preceding the election. Registrations made by mail under s.
14 6.30 (4) must be delivered to the office of the municipal clerk or postmarked no later
15 than the 2nd Wednesday preceding the election. An application for registration in
16 person or by mail may be accepted for placement on the registration list after the
17 specified deadline, if the municipal clerk determines that the registration list can be
18 revised to incorporate the registration in time for the election. All applications for
19 registration corrections and additions may be made throughout the year at the office
20 of the city board of election commissioners, at the office of the municipal clerk, at the
21 office of any register of deeds, at any office of the department of transportation where
22 the department receives applications for operators' licenses or identification cards,
23 or for renewals of operators' licenses or identification cards, under ch. 343, or at other
24 locations permitted under s. 6.285 or provided by the board of election commissioners
25 or the common council in cities over 500,000 population or by either or both the

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1 municipal clerk, or the common council, village or town board in all other
2 municipalities and may also be made during the school year at any high school by
3 qualified persons under sub. (2) (a). Other registration locations may include but are
4 not limited to fire houses, police stations, public libraries, institutions of higher
5 education, supermarkets, community centers, plants and factories, banks, savings
6 and loan associations and savings banks. Special registration deputies shall be
7 appointed for all locations. An elector who wishes to obtain a confidential listing
8 under s. 6.47 (2) shall register at the office of the municipal clerk of the municipality
9 where the elector resides.

10 **SECTION 24.** 6.28 (3) of the statutes is amended to read:

11 6.28 (3) AT OFFICE OF REGISTER OF DEEDS. Any person shall be given an
12 opportunity to register to vote at the office of the register of deeds for the county in
13 which the person's residence is located. An applicant may fill out the required
14 registration form under s. 6.33 (1). Upon receipt of a completed form, the register of
15 deeds shall forward the form within 5 days to the appropriate municipal clerk, or to
16 the board of election commissioners in cities over 500,000 population. The register
17 of deeds shall forward the form immediately whenever registration closes within 5
18 days of receipt.

19 **SECTION 25.** 6.28 (4) of the statutes is created to read:

20 6.28 (4) AT DEPARTMENT OF TRANSPORTATION OFFICES. (a) Each person who is
21 employed as a license examiner by the department of transportation is a special
22 registration deputy for the municipality in which the person's place of employment
23 is located. The department shall notify the municipal clerk of the municipality of the
24 name and address of each such employee and of the beginning and ending date of his
25 or her service at that place of employment. The municipal clerk of the municipality

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1 shall designate one employee at each office of the department of transportation
2 where more than one license examiner is employed as the primary special
3 registration deputy for that office. This employee shall coordinate and supervise
4 registration activities at that office. The municipal clerk shall explain to each special
5 registration deputy, or if there is more than one deputy at the office, to the primary
6 special registration deputy the responsibilities of the special registration deputies
7 at the office. The primary special registration deputy shall explain those
8 responsibilities to each other special registration deputy at the office where the
9 deputy serves.

10 (b) Any individual who applies for an operator's license or identification card,
11 or for renewal of an operator's license or identification card, under ch. 343, may
12 register for any election before the close of registration in person at the time of
13 making an application under ch. 343 by completing a registration form. Any
14 registered elector whose residence has changed within this state or whose name has
15 changed may update his or her registration information in person by completing an
16 updated form before the close of registration at any office of the department of
17 transportation where applications for operators' licenses or identification cards, or
18 for renewals of operators' licenses or identification cards, are accepted. The special
19 registration deputy under par. (a) who receives the individual's properly completed
20 registration form or updated form shall promptly enter on the form any information
21 required by the board under s. 6.33 (1m) (b) and, if the deputy is not the primary
22 registration deputy at an office where a primary special registration deputy is
23 designated, give the form to the primary registration deputy. No later than 10 days
24 after the applicant completes the form, each special registration deputy or, if there
25 is more than one special registration deputy at an office, the primary registration

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1 deputy shall forward the form to the board except that, if the applicant submits the
2 form within 5 days of the close of registration, the deputy shall forward the form no
3 later than the close of registration.

4 (c) The board, upon receiving a properly completed registration form or
5 updated form from a qualified elector under par. (b), shall add the name of the
6 registering elector to the registration list or update the elector's registration
7 information, as appropriate. If the board rejects any registration form or updated
8 form under this paragraph, the board shall promptly notify the individual whose
9 registration form or updated form is rejected of the reasons for the rejection. An
10 individual whose registration is rejected may reapply for registration if he or she is
11 qualified.

12 **SECTION 26.** 6.285 of the statutes is created to read:

13 **6.285 Registration at satellite absentee voting stations.** (1) SPECIAL
14 REGISTRATION DEPUTY. In every municipality that designates a satellite absentee
15 voting station under s. 6.873 (1), the municipal clerk or board of election
16 commissioners shall appoint at least one qualified elector of this state as a special
17 registration deputy for the voting station if registration is required in the
18 municipality. The appointment shall be made without regard to party affiliation.
19 The special registration deputy shall be able to read and write the English language,
20 be capable, and be of good understanding, and may not be a candidate for any office
21 to be voted for at an election at which he or she serves. In coordination with the board,
22 the municipal clerk or board of election commissioners shall instruct the special
23 registration deputy in the deputy's duties and responsibilities. No individual may
24 serve as a special registration deputy unless that individual is certified by the board

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1 under s. 7.31 to serve in that position. The municipal clerk or board of election
2 commissioners may revoke the deputy's appointment at any time.

3 (2) REGISTRATION PROCEDURE. (a) *Generally.* Except as provided under par. (c),
4 any qualified elector of a municipality who is not registered may register in person
5 at any satellite absentee voting station designated by the municipal governing body
6 under s. 6.873 (1) at any time during which absentee ballots may be cast at the voting
7 station. The elector shall complete, in the manner provided under s. 6.33 (2), a
8 registration form containing all information required under s. 6.33 (1).

9 (b) *During late registration.* 1. 'Proof of residence.' Any elector who registers
10 under par. (a) after the close of registration under s. 6.28 (1) shall provide acceptable
11 proof of residence as provided in s. 6.55 (7). Alternatively, if the elector is unable to
12 provide acceptable proof of residence under s. 6.55 (7), the information contained in
13 the elector's registration information shall be corroborated in a statement signed by
14 another elector of the municipality that contains the current street address of the
15 corroborating elector. The corroborating elector shall then provide acceptable proof
16 of residence under s. 6.55 (7). The statement shall be signed by the corroborating
17 elector in the presence of the special registration deputy.

18 2. 'Registration by ineligible felons.' The board shall provide to each municipal
19 clerk a list prepared for use at each satellite absentee voting station showing the
20 name and address of each person whose name appears on the list provided by the
21 department of corrections under s. 301.03 (20) as ineligible to vote on the date of the
22 election, whose address is located in the municipality, and whose name does not
23 appear on the registration list for that municipality. Prior to permitting an elector
24 to register to vote under this subsection, the special registration deputy shall review
25 the list. If the name of an elector who wishes to register to vote appears on the list,

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1 the special registration deputy shall inform the elector that the elector is ineligible
2 to register to vote. If the elector maintains that he or she is eligible to vote in the
3 election, the special registration deputy shall permit the elector to register to vote
4 but shall mark the elector's registration form as "ineligible to vote due to per
5 Department of Corrections."

6 3. 'Voting procedure.' A qualified elector who completes a registration form
7 under par. (a) and complies with subd. 1. after the close of registration under s. 6.28
8 (1) may vote by absentee ballot at the satellite absentee voting station under s. 6.873.
9 If the registering elector does not wish to vote by absentee ballot at the voting station,
10 and the municipal clerk or board of election commissioners determines that the
11 registration list will not be revised to incorporate the registration in time for the
12 election, the special registration deputy shall issue a certificate containing the name
13 and address of the elector addressed to the inspectors of the proper ward or election
14 district directing that the elector be permitted to cast his or her vote if the elector
15 complies with all requirements for voting at the polling place. The certificate shall
16 be numbered serially and prepared in duplicate. The municipal clerk or board of
17 election commissioners shall file one copy in the clerk's or board's office. At the time
18 that he or she appears at the correct polling place, the elector shall deliver any
19 certificate issued under this subdivision to the inspectors. Any certificate shall be
20 annexed to any absentee ballot voted by the elector, other than an absentee ballot
21 voted at the satellite absentee voting station immediately after completing the
22 registration, and shall be delivered to the office of the municipal clerk together with
23 the absentee ballot. The inspectors shall record the names of electors who present
24 certificates in person or for whom certificates are presented with absentee ballots on
25 the list maintained under s. 6.56 (1). The municipal clerk or board of election

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1 commissioners shall then add the names of these electors to the registration list if
2 the electors are qualified.

3 (c) *Confidential registration.* Any elector who wishes to obtain a confidential
4 listing under s. 6.47 (2) shall register at the office of the municipal clerk of the
5 municipality where the elector resides.

6 (3) COMPLETED REGISTRATION FORMS AND CERTIFICATES. The special registration
7 deputy shall promptly arrange the completed registration forms and certificates
8 issued under sub. (2) (b) 3. in the manner specified by the municipal clerk or board
9 of election commissioners. The special voting deputy that has supervision under s.
10 6.873 (2) (d) over the satellite absentee voting station shall ensure that the
11 registration forms and certificates are properly kept and shall promptly forward the
12 forms and certificates to the municipal clerk or board of election commissioners in
13 the manner specified by the municipal clerk or board of election commissioners. The
14 municipal clerk or board of election commissioners shall file the registration forms
15 as provided under s. 6.35 and shall preserve the certificates in the same manner as
16 certificates issued under s. 6.29 (2) (b). The municipal clerk or board of election
17 commissioners may reject any incomplete or defective registration form received
18 under this subsection and shall promptly notify each individual whose registration
19 is rejected of the rejection and the reason for the rejection. A person whose
20 registration is rejected under this subsection may reapply for registration if he or she
21 is qualified.

22 **SECTION 27.** 6.29 (1) of the statutes is amended to read:

23 6.29 (1) No names may be added to a registration list for any election after the
24 close of registration, except as authorized under this section or s. 6.28 (1), 6.285, 6.55
25 (2), or 6.86 (3) (a) 2. Any person whose name is not on the registration list but who

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1 is otherwise a qualified elector is entitled to vote at the election upon compliance with
2 this section.

3 **SECTION 28.** 6.29 (2) (a) of the statutes is amended to read:

4 6.29 (2) (a) Any qualified elector of a municipality who has not previously filed
5 a registration form or whose name does not appear on the registration list of the
6 municipality may register after the close of registration but not later than 5 p.m. or
7 the close of business, whichever is later, on the day before an election at the office of
8 the municipal clerk and at the office of the clerk's agent if the clerk delegates
9 responsibility for electronic maintenance of the registration list to an agent under
10 s. 6.33 (5) (b). The elector shall complete, in the manner provided under s. 6.33 (2),
11 a registration form containing all information required under s. 6.33 (1). The
12 registration form shall also contain the following certification: "I, ..., hereby certify
13 that to the best of my knowledge, I am a qualified elector, having resided at ... for
14 at least 10 days immediately preceding this election, and I have not voted at this
15 election." The elector shall also provide acceptable proof of residence under s. 6.55
16 (7). Alternatively, if the elector is unable to provide acceptable proof of residence
17 under s. 6.55 (7), the information contained in the registration form shall be
18 corroborated in a statement that is signed by any other elector of the municipality
19 and that contains the current street address of the corroborating elector. The
20 corroborating elector shall then provide acceptable proof of residence under s. 6.55
21 (7).

22 **SECTION 29.** 6.29 (2) (am) of the statutes is created to read:

23 6.29 (2) (am) The board shall provide to each municipal clerk a list prepared
24 for use at each municipal clerk's office showing the name and address of each person
25 whose name appears on the list provided by the department of corrections under s.

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1 301.03 (20) as ineligible to vote on the date of the election, whose address is located
2 in the municipality, and whose name does not appear on the registration list for that
3 municipality. Prior to permitting an elector to register to vote under this subsection,
4 the municipal clerk shall review the list. If the name of an elector who wishes to
5 register to vote appears on the list, the municipal clerk shall inform the elector that
6 the elector is ineligible to register to vote. If the elector maintains that he or she is
7 eligible to vote in the election, the municipal clerk shall permit the elector to register
8 to vote but shall mark the elector's registration form as "ineligible to vote per
9 Department of Corrections." If the elector wishes to vote, the municipal clerk shall
10 challenge the elector's ballot in the same manner as provided for inspectors who
11 challenge ballots under s. 6.79 (2) (dm).

12 **SECTION 30.** 6.32 (3) of the statutes is amended to read:

13 6.32 (3) If the form is submitted later than the close of registration, the clerk
14 shall make a good faith effort to notify the elector that he or she may register at the
15 clerk's office under s. 6.29 ~~or~~, at the proper polling place or other location designated
16 under s. 6.55 (2), or, if applicable, at a satellite absentee voting station designated
17 under s. 6.873 (1).

18 **SECTION 31.** 6.33 (1) of the statutes, as affected by 2003 Wisconsin Act 265,
19 section 49b, is amended to read:

20 6.33 (1) ~~The municipal clerk shall supply sufficient registration forms as~~
21 ~~prescribed by~~ Except as provided in sub. (1m), the board shall prescribe the format,
22 size, and shape of registration forms. All forms shall be printed on loose-leaf sheets
23 ~~or cards and each item of information shall be of uniform font size, as prescribed by~~
24 the board. The municipal clerk shall supply sufficient forms to meet voter
25 registration needs. The forms shall be designed to obtain from each applicant

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1 information as to name; date; residence location; citizenship; date of birth; age; the
2 number of a valid operator's license issued to the elector under ch. 343 or the last 4
3 digits of the elector's social security account number; whether the applicant has
4 resided within the ward or election district for at least 10 days; whether the applicant
5 has lost his or her right to vote been convicted of a felony for which he or she has not
6 been pardoned, and if so, whether the applicant is incarcerated, or on parole,
7 probation, or extended supervision; whether the application is disqualified on any
8 other ground from voting; and whether the applicant is currently registered to vote
9 at any other location. The forms shall also provide a space for the applicant's
10 signature and the ward and aldermanic district, if any, where the elector resides and
11 any other information required to determine the offices and referenda for which the
12 elector is certified to vote. The forms shall also include a space where the clerk may
13 record an indication of whether the form is received by mail and a space where the
14 clerk, for any applicant who possesses a valid voting identification card issued to the
15 person under s. 6.47 (3), may record the identification serial number appearing on
16 the voting identification card. Each register of deeds shall obtain sufficient
17 registration forms at the expense of the unit of government by which he or she is
18 employed for completion by any elector who desires to register to vote at the office
19 of the register of deeds under s. 6.28 (3).

20 **SECTION 32.** 6.33 (1m) of the statutes is created to read:

21 6.33 (1m) (a) The board, in consultation with the department of transportation,
22 shall prescribe the registration form and update form for use at the offices of the
23 department of transportation under s. 6.28 (4). The registration form shall include:

24 1. A list of the qualifications for voting under s. 6.02 and the grounds for
25 disqualification under s. 6.03.